



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

April 19, 1999

TO: File

THRU: Daron Haddock, Permit Supervisor *DH*

FROM: Wayne H. Western, Senior Reclamation Specialist *WHW*

RE: Response to Hiawatha Division Order 97A, Hiawatha Coal Company, Hiawatha Complex, ACT/007/011-DO97A, File #2, Carbon County, Utah

INTRODUCTION

On February 8, 1999, the Division received another response from the Permittee to Division Order 97A. The Division reviewed the document and found that some of the responses were inadequate.

MINING OPERATIONS AND FACILITIES

Regulatory Reference: R645-301-231, -301-526, -301-528.

Analysis:

Type and Method of Mining Operations

Under Division Order 97A the Permittee was required to give the Division plans for future mining operations. At the time the division order was issued the Permittee was reclaiming most of the facilities and moth balling the rest. The Permittee claimed that while they no longer intended to mine they were in the process of marketing the property of someone that might reopen the mines. The Division wanted to know the Permittee operational plan. After the Division Order 97A was issued, the permit was transferred to HCC, who want to reopen the mines. On Page 12 of Chapter 5 of the MRP the Permittee states:

HCC intends to reopen the King V and VI portals by November 1, 1999. Until that time HCC intends to:

1. sell pond fines

2. maintain the hydrologic structures and controls
3. monitor and inspect the property as required by the permit
4. reclaim those portions of the disturbed area that HCC feels is both unnecessary for and would not be affected by the resumption of underground mining operations

The Division considers the mining schedule submitted by HCC adequate.

Facilities and Structures

In Division Order 97A the Permittee was required to update the MRP regarding the use, maintenance and demolition of mine structures. The Division wanted to know what structures would be demolished and what structures would be left for the post mining land use. After the division order was issued, the permit was transformed. The new Permittee wants to reopen the mine. The new Permittee will determine what facilities are needed future mining operations. The Permittee gave the Division lists of the facilities and structures that are in South Fork, Middle Fork and the Processing Plant area. The Division considers those lists adequate.

In Division Order 97A the Permittee was required to update the MRP regarding the use and maintenance of coal waste, refuse and impoundment structures. They must also explain the coal storage, loading, hauling, handling and the associated haul roads located within the railroad right-of-way.

In a letter dated May 13, 1998 from Daron Haddock to Elliot Finley, the Division states that the railroad right-of-way and the associated haul road will not be included as part of the permit area. Therefore, the Permittee does not need to give the Division any additional information.

Findings:

The Permittee met the minimum requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: R645-301-521, -301-527, -301-534, -301-732.

Analysis:

Road Systems

In Division Order 97A the Division required the Permittee to either reclaim the North

Fork road or classify it as a primary road. On Page 34 of Chapter 5 the Permittee states that the North Fork road has been classified as a primary road. Since the North Fork road is a primary road, it does not have to be reclaimed.

Findings:

The Permittee met the minimum requirements of this section.

SPOIL AND WASTE MATERIALS

Regulatory Reference: R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Coal mine waste.

The Division is concerned about the storage of miscellaneous coal and coals mine waste in and around the disturbed area. In Division Order 97A the Permittee was required to develop a plan to place coal and coal mine waste in approved storage locations during the operational phase. The Permittee did not address these issues. The Division needs the Permittee to give the Division an operation plan for the handling of all coal and coal mine waste on or near the site because:

- ! R645-301-521.164 states that the location of each coal storage area will be shown on a map. None of the maps in the MRP show all the coal storage sites within the disturbed area.
- ! R645-301-521.165 states that the location of each coal preparation waste and underground development waste will be shown on a map.
- ! R645-301-521.190 allows the Division to require the Permittee to supply other relevant information. The Division considers a narrative on how the coal storage piles and coal mine waste storage areas will be managed during the operational phase relevant information.
- ! R645-301-536 states that all coal mine waste must be disposed in an approved facility. The Permittee has the option during the operational phase to either store coal mine waste in an approved storage site or place the material in an approved disposal facility.

Findings:

Information provided in the response to Division Order 97A for identifying the location of all coal storage areas and coal mine waste storage areas is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-521.164, The Permittee must show the location of all coal storage sites in and around the disturbed area boundaries on the operations maps.

R645-301-521.165, The Permittee must show the location of all coal mine waste storage sites in and around the disturbed area boundaries on the operations maps.

R645-301-521.190, The Permittee must describe how each coal storage area and coal mine waste storage area will be operated.

R645-301-536, The Permittee must place all coal mine waste that is not in an approved storage area into an approved disposal facilities.

RECLAMATION PLAN

GENERAL REQUIREMENTS

Regulatory Reference: R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

Analysis:

In Division Order 97A the Division required the Permittee to provide a detailed timetable for the completion of each major step of reclamation, including but not limited to, a description of the removal of equipment, demolition of structures, backfilling and grading of all disturbed areas. This may require adding to or modifying Table III-9 or another such table to include Slurry Pond 5A and the South Fork facilities.

Since Division Order 97A was issued, the permit was transferred. The new Permittee plans to reopen the mines. The New Permittee wants to evaluate the property to determine

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which facilities and areas will be reclaimed and which will be used for mine. The revised reclamation time table is given in Table V-7.

In Table V-7 the new Permittee states that the North Fork Canyon will be reclaimed when no longer needed. Since the portals in North Fork Canyon have been reclaimed and are not needed for future mining the remaining facilities (pipeline) should be reclaimed as soon as practical. The new Permittee must state the year in which North Fork Canyon will be reclaimed or state why the existing facilities are needed. The Division finds that the information in Table V-7 is inadequate regarding the reclamation of the North Fork Canyon.

Findings:

Information provided in the response to Division Order 97A for giving the Division a detailed reclamation timetable is inadequate. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-542.100, The Permittee must provide the Division with specific dates in the reclamation timetable (including the year) when the North Fork Canyon will be reclaimed.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: R645-301-800.

Analysis:

Determination of bond amount.

In Division Order 97A the Permittee was required to include the reclamation costs for reclaiming the railroad load out area and the associated haul road. In a letter from Mr. Daron Haddock to Mr. Elliot Finley date May 13, 1998 the Division stated that the railroad load out will not be required to be part of the permit area and that no bond will be required for that area.

Findings:

The Permittee met the minimum requirements of this section.